

NEWPORT BEACH HARBOR COMMISSION REGULAR MEETING MINUTES
City Council Chambers
Wednesday, May 8, 2013
6:00 p.m.

1) CALL MEETING TO ORDER

The meeting was called to order at 6:08 p.m.

2) ROLL CALL

Commissioners: Doug West, Chair
Brad Avery
Paul Blank
David Girling
Duncan McIntosh
Karen Rhyne
Ralph Rodheim

Staff Members: Chris Miller, Harbor Resources Manager
Shannon Levin, Harbor Resources Supervisor

Council Liaison: Council Member Nancy Gardner - Absent

3) PLEDGE OF ALLEGIANCE – Commissioner McIntosh

4) PUBLIC COMMENTS

Chair West invited those interested in addressing the Commission to do so at this time.

Gary Pickett, Ardell Marina, reported on the number and sizes of slips and noted increasing vacancies due to the noise, vibrations and fumes caused by the adjacent Hornblower Yachts Endless Dreams operation. He reported that the pollution is affecting Ardell Marina's revenues and noted meeting with representatives of Hornblower Yachts who were sympathetic but reported that nothing has changed. Mr. Pickett reported that the problem is well known to the Harbor Commission. He reported that the Hornblower landlord should provide them with electrical power from the uplands which would reduce noise and fumes from the running generators. He addressed recent increases in commercial marina fees and problems with increased vacancies and asked for help from the Harbor Commission.

Chair West indicated that the Commission is aware of the issue but since the item is not on the agenda, it cannot be discussed at this time.

Harbor Resources Manager Chris Miller reported that staff will look into the matter and return with a report to the Commission at its meeting in June.

There being no others wishing to address the Commission, Chair West closed the Public Comments portion of the meeting.

5) APPROVAL OF MINUTES - March 13, 2013 Study Session and Regular Meeting and April 10, 2013 Regular Meeting

Chair West reported receiving comments from Jim Mosher correcting the subject minutes and asked that the corrections be incorporated into the final minutes.

Motion: Commissioner Girling made a motion to approve the minutes of the Harbor Commission March 13, 2013 Study Session and Regular Meeting and April 10, 2013 Regular Meeting, as corrected. Commissioner McIntosh seconded the motion, which carried with 6 ayes and 1 abstention. Approved.

6) CURRENT BUSINESS - None

7) SUBCOMMITTEE REPORTS

Commissioner Blank addressed the objective related to promoting Newport Harbor as a welcoming destination and reported meeting with Gary Sherwin of Visit Newport Beach to generate ideas. He presented details of the meeting and addressed next steps. Members of the Commission commented positively on the efforts of the subcommittee in working with Visit Newport Beach.

Commissioner Blank addressed goals related to public piers and presented an update as well as next steps. He added that a formal presentation will be provided at a future Harbor Commission meeting and requested placing the item on a future agenda. He briefly addressed suggestions in support of each of the related objectives.

Commissioner Rodheim reported the intent of the Subcommittee to meet with the City Attorney's office within the next two weeks regarding the Project Line/Pier Head Line Subcommittee to discuss the matter and determine if it is an issue that the City would like to address. He stated that a report will be provided to the Harbor Commission at its meeting in June.

Commissioner Girling provided a brief update on Lower Castaways and reported that research will be conducted to further refine some of the ideas generated. He reported that he may work with the City to generate a questionnaire to include in the City's website and felt that research is needed to determine demand relative to the idea of boat storage, taking into account a nearby development that will offer boat storage. He noted studies will need to be conducted relative to other ideas and that there will be effort, time and money required in the pursuit of some of the ideas. Discussion followed regarding the possibility of scheduling a meeting with the City Manager to test some of the ideas.

Commissioner Girling reported receiving communication from Gary Brown with OC Coastkeeper regarding the designation of Lower Castaways as an Upper Newport Bay Conservation Area. He stated that some of the proposed uses will be evaluated at a Coastkeeper meeting in October and recommended moving forward in order to have some of the ideas considered during that meeting. Discussion followed regarding working with the Harbor Resources Manager to help in addressing the process at the State level relative to the suggestion that the boundary of the Upper Newport Bay Conservation Area may be adjustable. Brief discussion continued regarding working with the Parks, Beaches and Recreation Commission on this matter. It was noted that suggestions were received from two residents to keep it simple and use the area as a human-powered craft/car-top site and drive as much non-trailer parking into the site.

Chair West reported that the Dredging Subcommittee met with the Dredging Material Management Team (DMMT) relative to the RGP 54 matter. Harbor Resource Manager Miller stated that he will report further on the matter later on the agenda.

8) QUESTIONS AND ANSWERS WITH COUNCIL LIAISON ON HARBOR RELATED ISSUES

Chair West noted the absence of Councilmember Gardner.

9) QUESTIONS AND ANSWERS WITH HARBOR RESOURCES MANAGER ON HARBOR RELATED ISSUES

Harbor Resources Manager Miller provided a status update on the RGP 54 and addressed proposed structural changes to the permit including a sediment testing plan and the necessary vetting. He addressed sampling groups, the complexity and expense of the process and staff's job in the negotiation of minimizing the number of tests needed. He reported that staff is still working with the various agencies in order to fine

tune the plan. He hoped that the plan will be approved within the next few weeks and addressed next steps in the process. He reported that he will be providing brief updates at each Harbor Commission meeting.

Mr. Miller reported on the eelgrass negotiations with the agencies and addressed an interagency meeting to obtain feedback regarding the City's plan. He stated that the agencies provided good feedback that was incorporated into the plan and that it will be resubmitted to the agencies for their review in the near future. Discussion followed regarding the status of the eelgrass surveys. Mr. Miller reported that Coastal Resource Management is performing the survey and described the process and next steps. He stated that results are posted on the City's website. He addressed current levels of eelgrass compared with previous years and noted increases in the levels of eelgrass as well as contributing factors.

Harbor Resources Supervisor Shannon Levin reported that the City is in the process of replacing all five of the City owned pumpouts and that reimbursement will be made by the Department of Boating and Waterways for up to 75% of the replacement costs. She provided an update on the Balboa Island Sand Replenishment project noting that all of the RGP 54 applications have been submitted to the appropriate agencies and addressed the timeline for the various projects. Additionally, Ms. Levin announced a boat auction on Friday, May 10, 2013 at 9:00 a.m.

In response to Chair West inquiry, Mr. Miller provided a status update on the public pier near Balboa Marina. He reported that preliminary design is evolving and that the City is close to selecting an environmental consultant for the CEQA analysis and stated that two-and-a-half years remain before completion.

Commissioner Rodheim addressed increases in rates for Balboa Yacht Basin and inquired regarding providing amenities and public access. He suggested getting something done prior to the summer months, possibly on a test-basis.

Discussion followed regarding the mooring transferability process and related policies and the possibility of getting a report at the next Commission meeting to review the matter and assess the effects of policy changes.

Ensuing discussion pertained to dredging maintenance, challenges with the lack of small-scale dredging operators in the Harbor and current efforts by the Dredging Subcommittee and derelict boats. It was noted that the population of derelict boats in the Harbor has decreased and direction was given to staff to provide a brief update at the next Harbor Commission meeting.

Discussion followed regarding Mr. Miller's reference to current studies for the public dock near the Balboa Marina and the possible application of those studies to the Lower Castaways. Mr. Miller reported that the study was commissioned by the Irvine Company and will share it when it becomes available.

10) PUBLIC COMMENTS ON SUBCOMMITTEE REPORTS OR QUESTIONS AND ANSWERS WITH COUNCIL LIAISON OR HARBOR RESOURCES MANAGER

Interested parties were invited to address the Commission. There was no response and Chair West closed this portion of the meeting.

11) COMMISSION ANNOUNCEMENTS OR MATTERS WHICH MEMBERS WOULD LIKE PLACED ON A FUTURE AGENDA FOR DISCUSSION, ACTION OR REPORT (NON-DISCUSSION ITEM)

Chair West noted that several items were suggested to be placed on a future agenda during the course of the meeting including the shore power issue raised during public comment as well as several subcommittee items.

Commissioner Rodheim reported on the success of the recent Newport-to-Ensenada Yacht Race and thanked the press as well as staff.

Commissioner Rodheim addressed the matter of Duffy Docks and encouraged further discussion of the

matter. He requested placing the item on a future agenda and including a report from staff regarding potential next steps. He suggested the possibility of holding an informational meeting and obtaining public input. Discussion followed regarding considering the idea generically rather than promoting specific concepts, activating the subcommittee to decide whether to move the matter forward and the possibility of the City providing a prototype of a City mooring, using City boats.

Mr. Miller announced that applications for vacant Harbor Commission seats are due by May 15, 2013 at 1:00 p.m. and that applications are available online. He added that a subcommittee of Council members has been formed to review applications and develop recommendations by the first or second meeting in June.

Discussion followed regarding another Commissioner being assigned to the alternative mooring design subcommittee task force. It was noted that the subcommittee will be refreshed.

Mr. West reported that the new appointee to the Harbor Commission will join the Commission at its meeting in July.

12) DATE AND TIME FOR NEXT MEETING: Wednesday, June 12, 2013, 6:00 p.m.

13) ADJOURNMENT

There being no further business to come before the Harbor Commission, the meeting was adjourned at 7:23 p.m.

A handwritten signature in black ink, appearing to be 'M. Miller', with a long horizontal line extending to the right.